IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

FRIDAY, THE 14TH JULY 2006 / 23RD ASHADHA,1928

Bail Appl..No. 4251 of 2006

(CRIME NO.35/2005 OF EXCISE RANGE, SULTHAN BATHERY)

PETITIONER/ACCUSED

BIJU, S/O. MATHAI,
KIZHAKINEDATHU HOUSE, VARIKERI,
CHEERAL VILLAGE, S.BATHERY.

BY ADV. SMT.K.V.RESHMI
SRI.ARUL GEORGE SCARIA

RESPONDENTS: COMPLAINANT/STATE

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1. THE EXCISE INSPECTOR,
S.BATHERY EXCISE RANGE,
(CRIME NO.35/2005)

2. STATE OF KERALA, REP. BY
THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR K. RAVIKUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 14/07/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A.4251/2006

DATED THIS THE 14TH DAY OF JULY, 2006

O R D E R

The petitioner is the accused, in C.R.No.35/2005 of Excise Range, Sulthan Bathery, for the offence punishable under Section 8(1) & 8(2) as well as 55(a) of the Abkari Act, as the petitioner was found in illegal possession of seven liters of illicit arrack, on 6.6.2005. The petitioner remains in judicial custody from that date. Hence this application, under section 439 Cr.P.C.

2. The learned Public Prosecutor submitted that the investigation is complete and the final report had already been filed before the Court below. Hence I grant bail and release the petitioner from jail, subject to the following condition:-

The petitioner shall execute a bond for Rs.25,000/-, with two solvent sureties,

each for the like sum, to the satisfaction of the Judicial Magistrate of First Class-I, Sulthan Bathery.

The application is allowed as above.

J.M.JAMES
JUDGE

mrcs